

STATE OF OREGON
COUNTY OF WALLOWA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

S.W. MILES
EVANS, OR 97857

confirms the right to use the waters of the LOSTINE RIVER (aka SOUTH FORK WALLOWA RIVER), a tributary to the WALLOWA RIVER for IRRIGATION of 243.9 ACRES, DOMESTIC AND LIVESTOCK and SUPPLEMENTAL IRRIGATION OF 653.5 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Wallowa County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5 at Pages 184-185. The dates of priority are 1882 for Tract 1; 1889 for Tract 2; and 1896 for Tracts 3 and 4.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.5 acre-feet per acre during any period of 30 days prior to July 31 of each year, and thereafter not to exceed 1.0 acre-foot per acre during the entire remainder of the irrigation season.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	43 E	WM	9	SE NE	POD 1: MILES DITCH; TRACT 1
1 S	43 E	WM	9	NE SE	POD 2: MIDDLE VALLEY IRRIGATION AND WATER DITCH COMPANY DITCH; TRACT 2
1 S	43 E	WM	9	NE SE	POD 3: MILES MAGILL DITCH; TRACTS 3 & 4

A description of the place of use to which this right is appurtenant is as follows:

TRACT 1 - PRIMARY IRRIGATION							
Priority	Twp	Rng	Mer	Sec	Q-Q	Acres	POD ID
1882	1 S	43 E	WM	4	NW NW	5.7	1
1882	1 S	43 E	WM	4	SE NW	2.3	1
1882	1 S	43 E	WM	4	SW NW	5.2	1
1882	1 S	43 E	WM	4	SW SE	1.0	1
1882	1 S	43 E	WM	4	NE SW	2.8	1
1882	1 S	43 E	WM	4	NW SW	2.9	1
1882	1 S	43 E	WM	4	SE SW	17.0	1
1882	1 S	43 E	WM	4	SW SW	33.4	1
1882	1 S	43 E	WM	5	NE NE	4.3	1
1882	1 S	43 E	WM	5	SE NE	10.7	1
1882	1 S	43 E	WM	5	NE SE	1.6	1
1882	1 S	43 E	WM	5	SE SE	40.0	1
1882	1 S	43 E	WM	9	NW NE	8.5	1
1882	1 S	43 E	WM	9	SE NW	3.0	1
1882	1 N	43 E	WM	32	NW SE	40.0	1
1882	1 N	43 E	WM	32	SE SE	5.0	1
1882	1 N	43 E	WM	32	SW SE	40.0	1
Total						223.4	

TRACT 3 – PRIMARY IRRIGATION							
Priority	Twp	Rng	Mer	Sec	Q-Q	Acres	POD ID
1896	1 S	43 E	WM	9	NW NE	10.8	3
1896	1 S	43 E	WM	9	NE NW	9.7	3
Total						20.5	

For the use of Middle Valley Irrigation and Water Ditch Company Ditch to supplemental the diversion through the Miles Ditch for the following described lands, also described and included in the lands described above under Miles Ditch:

TRACT 2 – SUPPLEMENTAL IRRIGATION							
Priority	Twp	Rng	Mer	Sec	Q-Q	Acres	POD ID
1889	1 N	43 E	WM	32	NW SE	40.0	2
1889	1 N	43 E	WM	32	SE SE	40.0	2
1889	1 N	43 E	WM	32	SW SE	40.0	2
1889	1 N	43 E	WM	33	SW SW	9.0	2
1889	1 S	43 E	WM	4	NW NW	17.0	2
1889	1 S	43 E	WM	5	NE NE	40.0	2
Total						186.0	

For the use of the Miles-Magill Ditch to supplement diversions through the Miles Ditch and Middle Valley Irrigation and Water Ditch Company Ditch for the following described lands, also described and included above under said ditch:

TRACT 4 – SUPPLEMENTAL IRRIGATION							
Priority	Twp	Rng	Mer	Sec	Q-Q	Acres	POD ID
1896	1 N	43 E	WM	32	NW SE	40.0	1, 2, 3
1896	1 N	43 E	WM	32	SE SE	40.0	1, 2, 3
1896	1 N	43 E	WM	32	SW SE	40.0	1, 2, 3
1896	1 N	43 E	WM	33	SWSW	9.0	1, 2, 3
1896	1 S	43 E	WM	4	NW NW	27.0	1, 2, 3
1896	1 S	43 E	WM	4	SE NW	3.0	1, 2, 3
1896	1 S	43 E	WM	4	SW NW	38.0	1, 2, 3
1896	1 S	43 E	WM	4	NE SW	13.5	1, 2, 3
1896	1 S	43 E	WM	4	NW SW	40.0	1, 2, 3
1896	1 S	43 E	WM	4	SW SW	40.0	1, 2, 3
1896	1 S	43 E	WM	5	NE NE	42.0	1, 2, 3
1896	1 S	43 E	WM	5	SE NE	40.0	1, 2, 3
1896	1 S	43 E	WM	5	NE SE	40.0	1, 2, 3
1896	1 S	43 E	WM	5	SE SE	40.0	1, 2, 3
1896	1 S	43 E	WM	9	NE NW	15.0	1, 2, 3
Total						467.5	

This certificate describes that portion of Certificate 53407, State Record of Water Right Certificates, NOT MODIFIED by the provisions of an order of the Water Resources Director entered January 8, 2018, approving Allocation of Conserved Water Application CW-95. This Certificate, together with Certificate 93526 and a portion of Certificate 93535, supersedes Certificate 53407.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed January 8, 2018.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department



